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December 6, 2019

**BY ECF**

Honorable Ann M. Donnelly  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Joshua Martinez v. James Wheeler,  
17-CV-2871 (AMD) (PK)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department and one of the attorneys representing defendant James Wheeler in this action. Defendant writes to respectfully submit for the Court's endorsement the attached Proposed Order permitting either defendant Wheeler or nonparty detective John Perez to bring the vouchered arrest evidence to Court for trial.<sup>1</sup>

Defendant thanks the Court for its consideration of this request.

Respectfully submitted,

/s/ Kiran H. Rosenkilde  
Kiran Rosenkilde  
Senior Counsel

cc: All counsel (By ECF)

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<sup>1</sup> The .40 caliber Smith and Wesson pistol recovered from plaintiff is listed as defendant's Exhibit B on the parties' joint pretrial order. ECF No. 44 at p. 8.